

486-07/PJG

FREEHILL HOGAN & MAHAR LLP

Attorneys for Plaintiffs

80 Pine Street

New York, NY 10005

(212) 425-1900

(212) 425-1901 fax

Peter J. Gutowski (PG 2200)

Gina Venezia (GV 1551)

Pamela L. Schultz (PS 8675)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

NOVOSHIP (UK) LIMITED, CALLY SHIPHOLDINGS
INC., VITAL SHIPPING CORPORATION, and
DAINFORD NAVIGATION INC.,

Plaintiffs,

- against -

WILMER RUPERTI, SEA PIONEER SHIPPING
CORPORATION, and PMI TRADING INC., JOHN DOE
(fictitious) and JOHN DOE INC. (fictitious),

Defendants.

07-CV- 9876 (DLC)

**NOTICE OF CROSS MOTION
FOR LEAVE TO FILE
AMENDED COMPLAINT AND
FOR DISCOVERY**

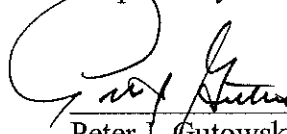
PLEASE TAKE NOTICE that pursuant to Rules A and B of the Supplemental Rules for Certain Admiralty and Maritime Claims, Rules 26 – 37 of the Federal Rules of Civil Procedure, and upon the accompanying Memorandum of Law and the Declaration of Peter J. Gutowski dated April 16, 2008, the exhibits attached thereto and all the pleadings filed and proceedings previously had herein,

Plaintiffs Novoship (UK) Limited, Cally Shipholdings Inc., Vital Shipping Corporation and Dainford Navigation Inc. will move this Court before the Honorable Denise L. Cote, at the United States Courthouse, 500 Pearl Street, New York, New York, on a date and time to be fixed

by the Court, for an order granting Plaintiffs leave to file an Amended Complaint and/or for an Order directing the Clerk to issue Supplemental Process of Attachment identifying the entities through which the Defendants are now moving their funds in circumvention of the Order of Attachment, and for an Order directing immediate discovery from the Defendants of their conduct in circumvention of the Order of Attachment so as to identify the entities and manner in which Defendants are moving their funds through New York but in a manner designed to avoid attachment. .

Dated: April 16, 2008
New York, NY

Respectfully submitted,



Peter J. Gutowski (PG 2200)
FREEHILL HOGAN & MAHAR, LLP
80 Pine St.
New York, NY 10005
Tel: (212) 425-1900
Fax: (212) 425-1901

TO: Elizabeth A. Cronise
180 Maiden Lane
New York, NY 10038-4982
Tel: (212) 806-5400
Fax: (212) 806-6006